

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal Action No.
v.	)	05-00416-01-CR-W-DW
	)	
MARION A. ROBINSON,	)	
	)	
Defendant.	)	

MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE

**PENDING CHARGE:** Count I-Defendant knowingly distributed 5 grams or more of a mixture containing a detectable amount of cocaine base. Counts II, III and IV– On August 29, 2005, defendant distributed cocaine base; on October 18, 2005, defendant distributed cocaine base and heroin; on October 18, 2005, defendant possessed with intent to distribute cocaine base.

The following matters were discussed and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Kathleen Mahoney

Case Agent: Detective Gary Gibson of the Kansas City Missouri Police Department

Defense: S. Chase Higinbotham, Jr.

**OUTSTANDING MOTIONS:** Request for Transfer of Custody (doc #22)(Counsel for the defendant will be providing further information, and the undersigned will then rule the motion.)

**TRIAL WITNESSES:**

Government: 10 witnesses without stipulations; 9 with stipulations

Defendant: 9 witnesses, defendant may testify

**TRIAL EXHIBITS:**

Government: 30 exhibits

Defendant: no more than 10 exhibits

**DEFENSES:** general denial.

**POSSIBLE DISPOSITION:**

(X ) Definitely for trial; ( ) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 3 days**

Government's case including jury selection: 2 days

Defense case: 1 day

**STIPULATIONS:** The government has proposed stipulations as to the chemist and chain of custody.

**UNUSUAL QUESTIONS OF LAW: None**

**FILING DEADLINES:**

**Witness and Exhibit List:** To be filed on Friday prior to the Pretrial Conference  
**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, March 15, 2006**

**Please Note:** Jury instructions must comply with Local Rule 51.1.

**Motions in Limine: None planned**

**TRIAL SETTING:** Case is set on the March 20, 2006 joint criminal docket.

**Please note:** The parties would prefer the second week of the docket.

**IT IS SO ORDERED.**

*/s/ Sarah W. Hays*

SARAH W. HAYS

UNITED STATES MAGISTRATE JUDGE